AMENDMENTS TO THE CLAIMS

IN THE CLAIMS:

A complete set of claims is provided below.

1.   (**Currently Amended**)   A method for dynamic control of data transfer by a subscriber during an on-going network session, comprising:

receiving a data packet at a gateway device;

identifying, at the gateway device, a subscriber associated with the data packet;

retrieving from memory a subscriber profile that includes subscriber-selected bandwidth;

determining if a transfer rate for data packet transmission to a network should be adjusted based on the subscriber-selected bandwidth; and

dynamically adjusting the transfer rate for data packet transmission based on the outcome of the determination process and without changing a communication path and without hardware reconfiguration of any component in the network,

wherein the transfer rate for data packet transmission is adjustable by a subscriber at any time during the on-going network session based on adjustment of the subscriber-selected bandwidth during the on-going network session, and

wherein retrieving from memory a subscriber profile that includes subscriber-selected bandwidth further comprises retrieving from memory a subscriber profile that includes a first subscriber-selected bandwidth for information being sent to a network and a second subscriber-selected bandwidth for information being retrieved from a network, the first and second subscriber-selected bandwidths being separate.

2.   (Canceled)

3.   (Previously Presented)   The method of Claim 1, wherein the step of identifying, at the gateway device, a subscriber associated with the data packet further comprises identifying, at the gateway device, a subscriber associated with the data packet by the media access control (MAC) address within the data packet.

4. (Canceled)

5. (Canceled)

6. (Previously Presented) The method of Claim 1, wherein the step of retrieving from memory a subscriber profile that includes subscriber-selected bandwidth further comprises retrieving from an Authentication, Authorization and Accounting (AAA) subscriber management interface a subscriber profile that includes subscriber-selected bandwidth.

7. (Canceled)

8. (Previously Presented) The method of Claim 1, wherein the step of determining if a transfer rate for data packet transmission should be adjusted based on the subscriber-selected bandwidth further comprises the step of determining a delay period, if any, for transmitting the packet and wherein the step of adjusting the transfer rate for data packet transmission based on the outcome of the determination process further comprises the step of queuing the data packet for the delay period before transmitting the packet.

9. (Previously Presented) The method of Claim 8, wherein the step of determining a delay period further comprises determining a delay period based upon a byte size of the data packet.

10. (Previously Presented) The method of Claim 8, wherein the step of determining a delay period further comprises determining a delay period based upon a byte size and a time lapse of a most recently transmitted data packet that was associated with the subscriber.

11.   (Previously Presented)   The method of Claim 8, wherein the step of queuing the data packet for the delay period before transmitting the packet further comprises queuing the data packet for a maximum delay period of 2 seconds.

12.   (Previously Presented)   The method of Claim 8, wherein the step of queuing the data packet for the delay period before transmitting the packet further comprises queuing the data packet using a ring buffer.

13.   (Original)   The method of Claim 8, wherein the subscriber network session is a wireless network session.

14.-27.   (Canceled)

28.   **(Currently Amended)**   A method for dynamic control of data transfer by a
subscriber during an on-going network session, comprising:

        receiving a data packet at a gateway device;

        identifying, at the gateway device, a subscriber associated with the data packet;

        retrieving from memory a subscriber profile that includes subscriber-selected bandwidth;

        determining if a transfer rate for data packet transmission to a network should be adjusted based on the subscriber-selected bandwidth;

        determining if the transfer rate for data packet transmission should be adjusted based on a priority of the data packet; and

        dynamically adjusting the transfer rate for data packet transmission based on the outcome of the determination process and without changing a communication path and without hardware reconfiguration of any component in the network,

        wherein the transfer rate for data packet transmission is adjustable by a subscriber at any time during the on-going network session based on adjustment of the subscriber-selected bandwidth during the on-going network session.

29. (Previously Presented) The method of Claim 28, wherein determining if a transfer rate for data packet transmission should be adjusted based on the subscriber-selected bandwidth and the priority of the data packet further comprises determining a delay period for transmitting the data packet and wherein adjusting the transfer rate for data packet transmission based on the outcome of the determination process further comprises queuing the data packet for the delay period before transmitting the packet.

30. (Previously Presented) The method of Claim 29, the priority of the data packet is based on a content of the information in the data packet.

31. (Previously Presented) The method of Claim 29, the priority of the data packet is based on a subscriber selected class of service.

32. (Previously Presented) The method of Claim 29, the priority of the data packet is based on a subscriber selected reservation of a bandwidth block.

33. (**Currently Amended**) A method for dynamic control of data transfer by a subscriber during an on-going network session ~~with a network, where a subscriber's device is not configured to communicate with the network~~ comprising:
        receiving a data packet at a gateway device;
        identifying, at the gateway device, a subscriber associated with the data packet;
        performing a packet translation function to enable the subscriber to access a network without re-configuration of a device of the subscriber, ~~where the subscriber's device is not configured to communicate with the network~~;
        retrieving from memory a subscriber profile that includes subscriber-selected bandwidth;
        determining if a transfer rate for data packet transmission <u>to the network</u> should be adjusted based on the subscriber-selected bandwidth; and

dynamically adjusting the transfer rate for data packet transmission based on the outcome of the determination process and without hardware reconfiguration of any component in the network,

wherein the transfer rate for data packet transmission is adjustable by a subscriber at any time during the on-going network session based on adjustment of the subscriber-selected bandwidth during the on-going network session.

34. (Previously Presented) The method of Claim 33, wherein determining if a transfer rate for data packet transmission should be adjusted based on the subscriber-selected bandwidth and the priority of the data packet further comprises determining a delay period for transmitting the data packet and wherein adjusting the transfer rate for data packet transmission based on the outcome of the determination process further comprises queuing the data packet for the delay period before transmitting the packet.

35. (Previously Presented) The method of Claim 33, wherein retrieving from memory a subscriber profile that includes subscriber-selected bandwidth further comprises retrieving from memory a subscriber profile that includes a first subscriber-selected bandwidth for information being sent to a network and a second subscriber-selected bandwidth for information being retrieved from a network.